



**“The City With a Heart”**

Larry Franzella, Mayor  
Jim Ruane, Vice Mayor  
Ken Ibarra, Councilmember  
Irene O’Connell, Councilmember  
Chris Pallas, Councilmember

# **MINUTES**

## **CITY COUNCIL**

### **REGULAR MEETING**

**April 26, 2005**

#### **THIS IS TO CERTIFY THAT:**

The San Bruno City Council met in regular session on Tuesday, April 26, 2005 at 1555 Crystal Springs Road (Senior Center) and the meeting was called to order at 7:00 p.m.

**Mayor Franzella** thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

**1. ROLL CALL:** Presiding was Mayor Franzella with Councilmembers Ruane, Ibarra, O’Connell, and Pallas in attendance. Recorded by City Clerk Simon. Clerk Simon led the PLEDGE OF ALLEGIANCE.

#### **PRESENTATIONS:**

- a. Proclamation recognizing the **Parkside Panther Cheer Squad** for winning 1<sup>st</sup> place at the Regionals in Santa Cruz and 1<sup>st</sup> place in the “Show Cheer Novice” division at El Camino High School. **Mayor Franzella** introduced Parkside Panther Cheer Squad booster Mrs. Lorraine Alesna. Mrs. Alesna thanked the City Council for recognizing Parkside’s achievements and the cheerleaders performed several routines for the public.
- b. Proclamation declaring April 25<sup>th</sup> through 29<sup>th</sup> , as the “**5<sup>th</sup> Annual Clean Your Files Week**” was presented to Tammy Del Bene from the San Bruno Garbage Company. Ms. Del Bene thanked the City Council and explained the program and encouraged all San Bruno businesses and residents to participate in increasing the amount of material being recycled.

#### **ANNOUNCEMENTS:**

Beautification Task Force (O’Connell) announced plans for the **7<sup>th</sup> Annual Operation Clean Sweep** to be held on Saturday May 7, 2005. This year’s motto, “Plant Pride Not Litter”. Register to volunteer by calling 616-7145 or online at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov). **Councilmember O’Connell** confirmed that the National Guard is home from Iraq and will be participating with this year’s event. Caltrain crews will also be cleaning the right a way. There will be coffee and donuts plus lunch for all volunteers hosted by San Bruno Garbage Company.

**Mayor Franzella** announced the new Park and Recreation Guides were in the mail. The back page was printed as a window poster stating, “ The City of San Bruno has zero tolerance for illegal use of fireworks”. The Senior Advisory Board member picture inside the brochure with the name of Dorothy Carmichael is actually Bill Goff.

**Councilmember Ibarra** announced pamphlets were being sent to all schools and public offices to announce the 65<sup>th</sup> Annual “Posy Parade” which is scheduled for Sunday June 5, 2005. The deadline to select the Posy Parade princess and her court is May 17. This year’s theme is “San Bruno, A City With A Heart”.

## 2. REVIEW OF AGENDA:

**Mayor Franzella** requested the City Council add two items to the agenda. First, under report of committees, boards, and commissions, Vice Mayor Ruane will report on planned activity for the Caltrain Grade Separation and Station Design Citizens Advisory Committee. Second, there has been a threat of litigation, which arose after the agenda was prepared and requires action before our next City Council meeting and a closed session will be needed.

**M/S Ibarra/Ruane** to add these two items to tonight's agenda. Passed with a unanimous vote.

**3. APPROVAL OF MINUTES:** The regular City Council meeting minutes of April 12, 2005, was approved as submitted.

## 4. CONSENT CALENDAR:

a. **Approve: Payroll** of April 8, 2005.

b. **Approve: Accounts Payable** of April 4, 2005. (Council Packets Only, copy is available for review at the City Clerk's office.)

c. **Accept: Reconciliation of General Ledger** to bank reports and the **Investment** reports dated March 31, 2005, by City Treasurer Karen Hornung.

d. **Accept: Donation from the San Bruno Lions Club** in the amount of \$692 for purchase of a police canine ballistic vest.

**Mayor Franzella** pulled item number 4.d. for discussion.

**M/S Ibarra/Ruane** to approve the remainder of the consent items and passed with a unanimous vote.

**Item 4d: Mayor Franzella** publicly recognized and thanked the San Bruno Lions Club for their donation to purchase a police canine ballistic vest.

**M/S Franzella/Ruane** to approve acceptance of donation and passed with a unanimous vote.

**5. PUBLIC HEARINGS:** (Notices have been published, posted, and mailed.) **None**

## 6. UNFINISHED BUSINESS:

Public Works Director Munns provided an update on the PG&E's **Jefferson-Martin 230-kv Transmission Line Project** and construction schedules in the City of San Bruno.

**Director Munns** gave a PowerPoint slide show to give the community an idea of the anticipated construction impacts from this PG&E project. Construction activity is scheduled to start May 2005 and end in January 2006. Huntington Avenue work will be complete by October 2005, as not to interrupt the re-opening of The Shops at Tanforan. Work on San Bruno Avenue West of El Camino should be completed by November 2005 in order that the re-pavement can be completed before winter rains start. Night work will be required where traffic disruptions would occur during daytime hours. The City's web site will have a link with construction schedules for the project. PG&E is requesting to utilize the property under I-380 for use as a lay down area; however, they must go through the normal process for a use-permit subject to conditions of the Planning Commission.

**PG&E representative Tim Szostek** and **Construction Company representative Dave Turkington** were present to answer any questions. Mr. Szostek informed the City Council that he was currently arranging a public meeting at Crestmoor Elementary School for anyone with questions. Notices will go out to all residents and business owners along the construction route and an announcement will be put on San Bruno Cable TV message board channel 11 with the date and time for the public meeting.

**Mayor Franzella** requested the City Clerk provide a list of all persons who have shown interest or have spoken on this topic in the past and PG&E should include them in the noticing.

**Councilmember Ibarra** said we have residents and businesses on San Bruno Ave. between El Camino and Huntington Ave. who were not involved in previous hearings and how will they be notified?

**Mr. Szostek** said the CPUC requires PG&E to notify any property owner within 300 feet of the construction area. Letters, public notices, and door hangers will accomplish this.

**Director Munns** said access to driveways will be maintained and construction will be done near the middle of the roadway.

**Councilmember O’Connell** asked what type of a complaint process was in place?

**Mr. Szostek** replied he would handle and answer all complaints. Phone 1-800-234-2117 or email at [info@jeffersonmartin.com](mailto:info@jeffersonmartin.com) 24 hours per day.

**Councilmember O’Connell** asked if there would be construction in more than one place at a time?

**Dave Turkington** replied there would be multiple crews. Some digging man holes while others complete trenching. Construction crews would work from the West to the East.

**Mayor Franzella** requested San Bruno CATV Channel 11 have an updated schedule of activities for use by those not able to access the City’s web site.

**Scott Buschman, Claremont Dr.**, asked how long will one lane of San Bruno Avenue be blocked off?

**Dave Turkington** replied the construction would be limited to lane number 1 and each manhole takes 4 days to complete and at that time the street is opened back up for public use. As a general rule of thumb, trenching operations will move between 150 to 250 feet per day.

**Mayor Franzella** said the streets would be re-opened daily after the 10-hour construction work period. The number 1 lane being used is the lane closest to the median strip.

**Rose Urbach, Euclid Ave.**, asked how much dust would be generated by this project? It is bad enough now with Tanforan construction. Can I get money to wash my car? I don’t have a computer and please send information by mail. **Mr. Turkington** replied the CPUC requires dust mitigation measures to be in place. No dirt removed will go back into the trench lines; instead, it will be hauled out of San Bruno.

**Mayor Franzella** thanked Mr. Munns, Mr. Szostek, and Mr. Turkington for the update.

## **7. CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACT.**

Authorize the City Manager to execute a contract with LSA Associates in the amount of \$65,105 for environmental review of a **proposed high-density apartment project at 4300 Susan Drive**, known as the Treetop Apartment complex.

**Mayor Franzella** clarified this is an application only and no project has been submitted thus far and the applicant will pay 100% of the cost of the environmental review. No one from the public wished to address the Council on this item.

**M/S Ruane/Ibarra** to approve and passed with a unanimous vote.

## **8. COMMUNICATIONS: None**

**9. STAFF REPORTS:**

- a. Finance Director O’Leary presented an oral status report on the **third quarter results** for the FY 2004-05 General Fund, Special Revenue Funds, and Enterprise Funds Budgets.

**Director O’Leary** showed slides giving current year revenues and expenditures. Overall the City revenues are very close to the budgeted amounts. Reduction in expenditures is from reduced legal fees and the holding of positions as vacant. Projections are for a \$375,000 shortage in revenues due to ERAF and expenditures will be right on target. The projected deficit will be \$138,000 for the General Fund. City Manager Jackson said we still have some serious budget hurdles to mount and resolve. We will be presenting FY 2005-06 budget proposals to the City Council in June and looks forward to that dialog.

**Councilmember Ibarra** asked the Finance Director what the status of the economy is in San Bruno? Director O’Leary replied the economics of San Mateo County and San Bruno is positive. While there is not dramatic improvement projected in the short term, we are fortunate to have the exciting change at Tanforan in the near term, which will increase our revenues.

**Councilmember Pallas** said we could do things now to improve our financial position such as the selling of the Former Wells Fargo site. If we had a separate water department we could make money now.

- b. Public Works Director Munns presented an oral update on **City water supplies and City well operations.**

**Director Munns** said the SFPUC has indicated an availability of water supply should not be an issue for our community. During the conjunctive use study some of our water wells were taken off line to study ground water levels. As of March 1, 2005, the City resumed well water operations. There are two wells off-line at this time, the Commodore Park and Cypress Ave. in City Park, sites. The Commodore Park well has its screens clogged and a solution to repair should be available by next week. Cypress well is producing too much air in the water and is being evaluated by a consultant who will recommend a repair plan. Our newest well at Belle Air Park is producing above expectations and pumping over 600 GPM. The groundwater grant in the amount of \$250,000 to drill monitoring wells to watch for saltwater intrusion was rated very high by the Department of Water Resources and we have a good chance of receiving those funds.

**Councilmember Pallas** said the Cypress well has been down since April 2004 and why has nothing been done for over a year? The Commodore well has also been neglected during the conjunctive use study. We should have put a camera down and determined the problem and fixed it. These wells are not being maintained because we don’t have a separate water department to take care of them. Did we pay for a 400-feet or 500-feet well at the Corporation Yard?

**Director Munns** replied the contract was for a 500 foot well. The pump is at a depth of 410 feet, which was the original design, and this has been reported previously to the Council Ad Hoc committee about a cave-in, which put debris at the bottom of the well.

**Councilmember Pallas** asked who was responsible for the cave-in, the City or the contractor?

**Director Munns** replied this happened in 1993 and he can only report the facts he is aware of.

**Councilmember Pallas** said the well should have been producing over 500 GPM but this mistake has reduced it to 250 GPM. These problems were caused by a lack of a separate water department. These wells will make money for us but we are not taking advantage of having them working properly.

**Councilmember O’Connell** asked if there was a time line for results from the conjunctive use study and is there any preliminary reports? Director Munns replied that reports showed the aquifer was rising during the time of the study, which is good news.

**Councilmember Pallas** said we had so much rain while our wells were shut down and the aquifer may also be receiving extra water from the Crystal Springs lakes. City Attorney Thompson said while San Francisco is doing their study, San Bruno has its own consultant to make sure we agree with the results.

**Councilmember Ibarra** said the new well at Lions field is performing above expectations and it appears we are getting better at installing good wells. He does not want to hear what happened eight years ago and results of studies from twenty years ago. There is no proof a separate water department would improve our results and may only increase the bureaucracy. Mr. Pallas should not say San Francisco will double the rates charged to San Bruno when it is not true. He believes staff is doing everything possible and should not be criticized by Mr. Pallas.

**Councilmember Pallas** said repairs to the Hetch Hetchy systems will cost three billion dollars and someone will have to pay for it. If we ignore the past we will make the same mistakes in the future.

**Councilmember O’Connell** is a member of the Bay Area Water Commission, and knows that the San Francisco PUC is not planning to double their rate next year. The rate will actually be lower, it will go from \$1.13 to \$1.02 per unit. Yes, we will pay for the system because we enjoy the benefit of the Hetch Hetchy. While mistakes have been made, overall, staff has done a good job with its water well activities.

- c. Receive report and authorize staff to work with the San Bruno Lions Club on a proposed project to **remodel the concession stand** in City Park.

**Parks and Recreation Services Director Larry Mazzuca** gave the report to the City Council. The San Bruno Lions Club is concerned about the future of fireworks sales in San Bruno and feels this project will give all non-profit groups an alternative for fund raising. The new concession stand would be larger but not a separate unit. The Parks and Recreation Commission expressed interest in the development of this proposal but wanted a single concession stand. The concession stand should continue to be operated and managed in a manner similar to the current guidelines of the Parks and Recreation Services Department. No City funds would be used and after completion, it would be dedicated back to the City. The time line could take up to twelve months since fund raising still needs to be completed.

**Councilmember Pallas** said he has worked in the concession stand many years and not enough money is made to make up for the loss of fireworks income.

**Vice Mayor Ruane** said he commends the Lions Club for looking into the future and while the income will not completely make up for any lost fireworks sales, a newer and updated facility will draw more people to the concession stand. He feels this proposal has merit and deserves Council support.

**Councilmember Ibarra** said this plan is for a whole new facility with enough space and services to draw back the customers lost. There are many baseball teams playing night ball and this concession stand is needed and will pay off in many ways for the entire community.

**Mayor Franzella** said the existing stand certainly needs a make over. While these plans are only preliminary drawings, he is concerned with the amount of park space being taken up and the exposure to vandalism to the out-side stools and tables. Do we really need a divided space? Overall this looks like a great project and he would like to see it move forward.

**M/S Ruane/O’Connell** to authorize staff to work with the Lions Club to help complete this project and passed by unanimous vote.



**At 9:00 p.m. Mayor Franzella called for a 5-minute break to allow CATV to change the tape.**

**At 9:15 p.m. Mayor Franzella reconvened the City Council meeting.**

- d.** Approve donation and **installation of a clock tower** on San Mateo Avenue by the Rotary Club of San Bruno.

**Mario Puccinelli, President of The Rotary Club of San Bruno** gave a brief presentation to the City Council. This project is part of Rotary International's Centennial Celebration and demonstrates the club's commitment to the community. We are hoping to complete this project by June 30, 2005. The clock's manufacturer is the Virden Company, the world's largest. It is a four-faced Seth Thomas tower clock at a cost of \$25,000.

**Councilmember Pallas** asked if the clock will be lighted at night and does it have chimes?

**Mr. Puccinelli** replied yes, it will have a lighted face but will not have chimes.

**Councilmember O'Connell** thanked the Rotary Club and feels this will be a wonderful addition to the downtown improvements. She made a suggestion that a time capsule be installed also.

**Councilmember Ibarra** thanked the Rotary Club and feels their last donation of the Pavilion in the City Park has been well maintained. He feels the proposed location is perfect.

**Mayor Franzella** asked who would handle the phone calls if the glass is broken or the clock is not showing the correct time? Mr. Puccinelli replied the maintenance will be minimal and the Rotary Club will maintain the clock and tower.

**City Manager Jackson** displayed a diagram and pictures of the proposed location at Jenevein and San Mateo Avenues on the Northwest corner in front of Citibank. Staff will work with the Rotary Club and provide access for power.

**M/S Pallas/Ibarra** to approve the donation and authorize installation and passed with a unanimous vote.

**10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None**

**11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: No one wished to address the Council.**

**12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

- a.** Received oral annual report from the San Bruno Parks and Recreation Commission presented by, Rico Medina, Chair.

**Chair Medina** gave a presentation to the City Council and noted all the progress and changes since last year's report, including welcoming two new commissioners. Capital Improvement projects such as the Grundy Park restroom, dog run, and new playground equipment are currently underway. Future goals are to obtain more parking at City Park, control of vandalism, and obtaining more grant funds.

**Mayor Franzella** thanked Chair Medina and several commissioners in attendance for the great work they are doing.

- b.** Caltrain Ad Hoc Committee **Ruane/Ibarra** reported on activities of the Citizens Advisory Committee on Caltrain Grade Separation and Station Design.

**Vice Mayor Ruane** reported there are **several design issues** outstanding, which staff is working with the Joint Powers Board to finalize, such as provisions for parking, impacts to Posy Park, Angus Avenue bridge structure, pedestrian access, and the location of stairs and ramps. The CAC meeting of May 5<sup>th</sup> will be canceled. Once the staff is able to resolve the technical and engineering issues, a meeting will be called of the CAC for their input on design lay out. He thanked the CAC members for their diligence and ongoing participation and a formal notice will be sent to all members.

**Councilmember Pallas** said Caltrain is cutting services; but, they are willing to spend 140 million dollars for grade separations. We should use the money to hire crossing guards and improve service.

**Vice Mayor Ruane** reminded Mr. Pallas that safety was the primary reason for the grade separation. There were a number of deaths at this intersection and it is rated the 5<sup>th</sup> most dangerous in the entire state.

### 13. NEW BUSINESS:

**Closed Session** regarding:

- a. **Tort claims** of Jean Akers, Eleanor Smith, Regina Malaspina, Li Min Zhang, Bob Jackson relating to alleged sewer spill/backup at 917, 920 & 929 Mills Avenue. (Gov't Code Section 54956.9(b)(1)(C)) **Mayor Franzella** reported that direction was given to the City Attorney.
- b. City of San Bruno vs. Abelardo Gomez, Superior Court San Mateo County (limited jurisdiction) for **property damages** arising from collision. (Gov't Code Section 54956.9(a)) **Mayor Franzella** reported that direction was given to the City Attorney.
- c. **Threat of litigation** (Gov't Code Section 54956.9(b)(3)(A).) **Mayor Franzella** reported that direction was given to the City Attorney.
- d. **Labor negotiations** with the San Bruno Professional Fire Fighters Association. (Gov't Code Section 54957.8) the **Mayor** reported that direction was given to the City's negotiating team.
- e. Threat of litigation added under item number 2. **Mayor Franzella** reported that direction was given to the City Attorney.

### 14. ADJOURNMENT:

With no further business to transact Mayor Franzella asked for a moment of silence in memory of long time San Bruno resident and businessman **Paul Vogel** who recently died. Mr. Vogel was also a friend, mentor, and former business partner. Meeting adjourned to the next regular City Council meeting of Tuesday May 10, 2005, 7:00 p.m. at the Senior Center, at 1555 Crystal Springs Road.

**Respectfully submitted for approval to  
the San Bruno City Council at the  
regular meeting of May 10, 2005.**

Ed Simon, City Clerk

Larry Franzella, Mayor